

6 April 1954

MEMORANDUM TO: Mr. William Truehart

SUBJECT : Proposed State Department Comments
on H.R. 8000

1. In connection with the proposed reply to Chairman Reed of the House Committee on the Judiciary on H.R. 8000, this Agency would suggest a revision of the last paragraph on page 3 of the draft to read as follows: "The Department of State will interpose no objection to the enactment of H.R. 8000, but is of the opinion that existing law and procedures will suffice to care for the foreseeable cases of the nature considered by this bill. The Department desires to point out that section 212(a)(28)(I) of the Immigration and Nationality Act contains a defector provision under which a former Communist in applying for a visa is required to show five years of active opposition to the doctrine, program, principles, and ideology of the Communist Party and to establish further that his admission into the United States would be in the public interest. Under this latter provision of law the defecting alien is subjected to a five year period of observation and probation before he becomes eligible to receive a visa with which to apply for admission into the United States. In addition, the Act of June 20, 1949 (63 Stat. 208) provides, in part, for the entry into the United States of certain aliens when it is determined to be in the interest of national security or essential to the furtherance of the national intelligence mission, without regard to their inadmissibility under the immigration laws and regulations. The Committee may wish to consider the implications of these existing laws in conjunction with its consideration of the proposed legislation."

2. As I indicated to you this morning, officials here who are concerned with defector matters have expressed some concern that, if legislative consideration of H.R. 8000 aroused public interest, and if thereafter the bill failed to pass, an effective weapon would be handed to Communist propaganda. It should be noted, however, that the presentation of such an idea might be construed as a commitment to support the bill once it had attracted public attention. Therefore, from an intelligence point of view, it might be advisable prior to forwarding a letter to the Committee to discuss the policy implications of this bill within the government in order to reach a determination, either to give the measure all-out support if it is deemed desirable or, on the other hand, to suggest to Congressman Hillings that in view of existing mechanisms the bill might best be tabled without further action at this session of the Congress.

Walter L. Pforzheimer